



STATE OF WISCONSIN

Senate Journal

Ninety–Second Regular Session

10:00 A.M.

THURSDAY, March 9, 1995

The Senate met.

The Senate was called to order by Senator Brian Rude.

The roll was called and the following Senators answered to their names:

Senators Adelman, Andrea, Breske, Buettner, Burke, Chvala, Clausing, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, Fitzgerald, George, Huelsman, Jauch, A.Lasee, Llean, Moen, Moore, Panzer, Petak, Plewa, C.Potter, Risser, Rosenzweig, Rude, Schultz, Weeden, Wineke and Zien – 32.

Absent – None.

Absent with leave – None.

The prayer this morning was offered by Pastor Ruth Lyons of Gridley Congregational Church in Beloit.

The Senate remained standing and Senator Weeden led the Senate in the pledge of allegiance to the flag of the United States of America.

INTRODUCTION AND REFERENCE OF RESOLUTIONS AND JOINT RESOLUTIONS

Read and referred:

Senate Joint Resolution 17

Relating to: proclaiming May 3, 1995, Trzeciego Maja Day.

By Senators Plewa, Breske, Drzewiecki, Andrea, C. Potter, Burke, Chvala, Clausing, Schultz, Darling, Moen, Llean and Rosenzweig; cosponsored by Representatives Kunicki, Ryba, Murat, Plombon, Grobschmidt, Baldus, R. Potter, Notestein, Owens, Coleman, Wirch, Dobyns, Urban, Ward, Schneiders, Grothman, Hasenohrl, Boyle, Ziegelbauer and Krusick.

To committee on **Senate Organization**.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS

Read first time and referred:

Senate Bill 105

Relating to: prison industries.

By Senators Drzewiecki, Fitzgerald, Buettner, Cowles, Rude, A. Lasee and Panzer; cosponsored by Representatives Goetsch, Lehman, Kaufert, Jensen, Dobyns, Foti, Gard, Kelso and Owens.

To committee on **State Government Operations and Corrections**.

Senate Bill 106

Relating to: setting rates for certain motor vehicle insurance policies and granting rule-making authority.

By Senators Burke and Plewa; cosponsored by Representatives Cullen, Bock, Boyle, Coggs, Gronemus, Krug,

La Fave, Notestein, Riley, Robson, Turner, Williams, L. Young and R. Young.

To committee on **Insurance**.

Senate Bill 107

Relating to: employment of minors 11 years of age or older in the sale of newspapers.

By Senators Andrea, Schultz, Plewa and Burke; cosponsored by Representatives Ourada, Ziegelbauer, Porter, Ryba, Gard, Handrick, Seratti, Lorge and Kreuser.

To committee on **Human Resources, Labor, Tourism, Veterans and Military Affairs**.

REPORT OF COMMITTEES

The committee on **Business, Economic Development and Urban Affairs** reports and recommends:

Senate Bill 49

Relating to: the interstate transportation of gambling devices and exempting persons in the business of shipbuilding from laws prohibiting certain gambling activities.

Introduction and adoption of Senate substitute amendment 1.

Ayes, 5 – Senators Petak, Buettner, Darling, Plewa and Moore.

Noes, 0 – None.

Passage as amended.

Ayes, 5 – Senators Petak, Buettner, Darling, Plewa and Moore.

Noes, 0 – None.

Senate Bill 92

Relating to: a training and employment services grant for employes being laid off from a business and making an appropriation.

Passage.

Ayes, 5 – Senators Petak, Buettner, Darling, Plewa and Moore.

Noes, 0 – None.

George Petak
Chairperson

The committee on **Environment and Energy** reports and recommends:

Senate Bill 64

Relating to: damage to transmission facilities and providing penalties.

Introduction of Senate substitute amendment 1.

Ayes, 5 – Senators Cowles, Panzer, Farrow, Burke and Clausing.

Noes, 0 – None.

Introduction and adoption of Senate amendment 1 to Senate substitute amendment 1.

Ayes, 5 – Senators Cowles, Panzer, Farrow, Burke and Clausing.

Noes, 0 – None.

Adoption of Senate substitute amendment 1.

Ayes, 5 – Senators Cowles, Panzer, Farrow, Burke and Clausing.

Noes, 0 – None.

Passage as amended.

Ayes, 5 – Senators Cowles, Panzer, Farrow, Burke and Clausing.

Noes, 0 – None.

Senate Bill 87

Relating to: the labeling of certain gasoline.

Introduction and adoption of Senate substitute amendment 1.

Ayes, 5 – Senators Cowles, Panzer, Farrow, Burke and Clausing.

Noes, 0 – None.

Passage as amended.

Ayes, 5 – Senators Cowles, Panzer, Farrow, Burke and Clausing.

Noes, 0 – None.

Senate Bill 89

Relating to: the sale and purchase of reformulated gasoline containing methyl tertiary butyl ether or ethyl tertiary butyl ether and the labeling of certain reformulated gasoline.

Introduction and adoption of Senate substitute amendment 1.

Ayes, 3 – Senators Cowles, Panzer and Farrow.

Noes, 2 – Senators Burke and Clausing.

Passage as amended.

Ayes, 3 – Senators Cowles, Panzer and Farrow.

Noes, 2 – Senators Burke and Clausing.

Robert Cowles
Chairperson

PETITIONS AND COMMUNICATIONS

**State of Wisconsin
Ethics Board**

March 7, 1995

The Honorable, The Senate:

At the direction of s. 13.685(7), Wisconsin Statutes, I am furnishing you with the names of organizations recently registered with the Ethics Board that employ one or more individuals to affect state legislation or administrative rules, and notifying you of changes in the Ethics Board's records of licensed lobbyists and their employers. For each recently registered organization I have included the organization's description of the general area of legislative or administrative action that it attempts to influence and the name of each licensed lobbyist that the organization has authorized to act on its behalf.

Organizations recently registered:

Below are the names of organizations recently registered with the Ethics Board as employing one or more individuals to affect state legislation or administrative rules.

ABC for Health, Inc.

Subjects: ABC for Health is a public interest law firm interested in health care financing and access for families. Legislative and administrative issues and rules we may attempt to influence include: Medicaid/MA health insurance, human services, health reform and regulation.

Peterson Jr., Robert A.

Alden Group, Inc.

Subjects: We will assist a Wisconsin Indian Tribe(s) in its (their) effort to secure support for off reservation Indian Gaming. We will contact the Dept. of Transportation and State Agencies involved in Economic Development in addition to banking, commerce, financial institutions, gambling and lottery, securities, tourism and recreation. We will establish a Wisconsin regional office and conduct investment banking business.

Keegan, J. Richard

Remsik, Jeffrey J.

Auctioneers Assn., Wisconsin

Subjects: The organization may introduce legislation to provide for a Defrauding an Auctioneer penalty in state statutes. Also, interested in all bills & rules impacting on auctioneers.

Froehlke, Scott

Firststar Corp.

Subjects: The corporation will monitor and lobby as appropriate issues regarding banking, commerce and business, commercial and consumer credit, employment and labor, environment, financial institutions, securities, taxation and other areas as may be identified to impact the corporation.

Christianson, Peter C.

Driessen, Anthony H.

Theo, Peter J.

Yingling, John C.

Health Information Management Services

Subjects: Last year, assembly bill AB 852 was introduced to regulate charges for photocopy and research of medical records. I am interested in being involved and educating our representatives regarding the release of patient medical record information.

Swandby, Janet

Pre-Cast Concrete Assoc., Wisconsin

Subjects: ILHR 83

Essie, Patrick

Public Power Inc. SYSTEM, Wisconsin

Subjects: Changes to laws related to regulation of electric utilities.

Thilly, J. Leroy

St. Croix Chippewa Indians of Wisconsin

Subjects: All issues of interest to the St. Croix Tribal Government including tribal gaming, health, environment, treaty rights and economic development.

Jablonski, Ann

TDS Telecom: Central Region – TSSD, Inc.

Brozek, Michael

VITAS Healthcare Corp.

Subjects: All matters affecting the availability of hospice care to those in need of it.

Driessen, Anthony H.

Organization's authorization of additional lobbyists:

The following organizations previously registered with the Ethics Board as employers of lobbyists have authorized to act on their behalf these additional licensed lobbyists:

Blood Center of Southeastern Wisconsin, Inc.

Intrater, Michelle R.

Electric Power Co, Wisconsin

Earl, Anthony S.

Fair Liquidation of Waste (FLOW)

Jentz, Robert

Mielke, William

MCI Communications Corp.

Driessen, Anthony

Milwaukee Brewers Baseball Club

Grebe, Michael

Paper Council, Wisconsin

Wilusz, Edward J.

PrimeCare Health Plan

Intrater, Michelle R.

Organization's termination of lobbyists:

Each of the following organizations previously registered with the Ethics Board as the employer of a lobbyist has withdrawn, on the date indicated, its authorization for the lobbyist identified to act on the organization's behalf.

Blood Center of Southeastern Wisconsin, Inc.

Klauser, David 2/27/95

Prosecutors, Assn. of State

Klauser, David 3/2/95

Also available from the Wisconsin Ethics Board are reports identifying the amount and value of time state agencies have spent to affect legislative action and reports of expenditures for lobbying activities filed by the organizations that employ lobbyists.

Sincerely,
R. Roth Judd
Executive Director

SECOND READING AND AMENDMENTS OF SENATE JOINT RESOLUTIONS AND SENATE BILLS

Senate Joint Resolution 6

Relating to: convening a Conference of the States.
Read.

Senator Moen asked unanimous consent that the Senate stand recessed for 1 hour and 3minutes.

The senate stood recessed.

10:15 A.M.

RECESS

11:18 A.M.

The senate reconvened.

Senator Ellis, with unanimous consent, asked that **Senator Joint Resolution 6** be referred to the special committee on **State and Federal Relations**.

Senate Bill 49

Relating to: the interstate transportation of gambling devices and exempting persons in the business of shipbuilding from laws prohibiting certain gambling activities.

Read a second time.

The question was: Adoption of Senate substitute amendment 1 to **Senate Bill 49**?

Adopted.

Ordered to a third reading.

Senator Farrow, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 49

Read a third time and passed.

Senator Ellis, with unanimous consent, asked that all action be ordered immediately messaged to the Assembly.

Senate Bill 64

Relating to: damage to transmission facilities and providing penalties.

Read a second time.

Senator Leean, with unanimous consent, asked that **Senate Bill 64** be referred to the joint committee on **Finance**.

Senate Bill 87

Relating to: the labeling of certain gasoline.

Read a second time.

Senator Leean, with unanimous consent, asked that **Senate Bill 87** be referred to the joint committee on **Finance**.

Senate Bill 89

Relating to: the sale and purchase of reformulated gasoline containing methyl tertiary butyl ether or ethyl tertiary butyl ether and the labeling of certain reformulated gasoline.

Read a second time.

The question was: Adoption of Senate substitute amendment 1 to **Senate Bill 89**?

Adopted.

Senate substitute amendment 2 to **Senate Bill 89** offered by Senators Burke, Andrea and Moore.

The question was: Adoption of Senate substitute amendment 2 to **Senate Bill 89**?

Senator Cowles moved rejection of Senate substitute amendment 2 to **Senate Bill 89**.

The question was: Rejection of Senate substitute amendment 2 to **Senate Bill 89**?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 15; absent or not voting, 0 as follows:

Ayes – Senators Buettner, Cowles, Darling, Drzewiecki, Ellis, Farrow, Fitzgerald, Huelsman, A. Lasee, Leean, Panzer, Petak, Rosenzweig, Rude, Schultz, Weeden and Zien – 17.

Noes – Senators Adelman, Andrea, Breske, Burke, Chvala, Clausing, Decker, George, Jauch, Moen, Moore, Plewa, C. Potter, Risser and Wineke – 15.

Absent or not voting – None.

Rejected.

Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 89** offered by Senator Adelman.

The question was: Adoption of Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 89**?

Senator Cowles moved rejection of Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 89**.

The question was: Rejection of Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 89**?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 15; absent or not voting, 0 as follows:

Ayes – Senators Buettner, Cowles, Darling, Drzewiecki, Ellis, Farrow, Fitzgerald, Huelsman, A. Lasee, Leean, Panzer, Petak, Rosenzweig, Rude, Schultz, Weeden and Zien – 17.

Noes – Senators Adelman, Andrea, Breske, Burke, Chvala, Clausing, Decker, George, Jauch, Moen, Moore, Plewa, C. Potter, Risser and Wineke – 15.

Absent or not voting – None.

Rejected.

Senate amendment 2 to Senate substitute amendment 1 to **Senate Bill 89** offered by Senator Adelman.

The question was: Adoption of Senate amendment 2 to Senate substitute amendment 1 to **Senate Bill 89**?

Senator Weeden raised the point of order that Senate amendment 2 to Senate substitute amendment 1 is not germane.

The Chair rules the point well taken.

Senator Adelman appealed the ruling of the chair.

The question was: Shall the decision of the Chair stands as the judgement of the Senate?

The ayes and noes were required and the vote was: ayes, 17; noes, 15; absent or not voting, 0 as follows:

Ayes – Senators Buettner, Cowles, Darling, Drzewiecki, Ellis, Farrow, Fitzgerald, Huelsman, A. Lasee, Leean, Panzer, Petak, Rosenzweig, Rude, Schultz, Weeden and Zien – 17.

Noes – Senators Adelman, Andrea, Breske, Burke, Chvala, Clausing, Decker, George, Jauch, Moen, Moore, Plewa, C. Potter, Risser and Wineke – 15.

Absent or not voting – None.

The decision of the Chair stands as the judgement of the Senate.

Senate amendment 3 to Senate substitute amendment 1 to **Senate Bill 89** offered by Senator Risser.

The question was: Adoption of Senate amendment 3 to Senate substitute amendment 1 to **Senate Bill 89**?

Senator Panzer moved rejection of Senate amendment 3 to Senate substitute amendment 1 to **Senate Bill 89**.

The question was: Rejection of Senate amendment 3 to Senate substitute amendment 1 to **Senate Bill 89**?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 15; absent or not voting, 0 as follows:

Ayes – Senators Buettner, Cowles, Darling, Drzewiecki, Ellis, Farrow, Fitzgerald, Huelsman, A. Lasee, Leean, Panzer, Petak, Rosenzweig, Rude, Schultz, Weeden and Zien – 17.

Noes – Senators Adelman, Andrea, Breske, Burke, Chvala, Clausing, Decker, George, Jauch, Moen, Moore, Plewa, C. Potter, Risser and Wineke – 15.

Absent or not voting – None.

Rejected.

Senate amendment 4 to Senate substitute amendment 1 to **Senate Bill 89** offered by Senator Adelman.

The question was: Adoption of Senate amendment 4 to Senate substitute amendment 1 to **Senate Bill 89**?

Senator Schultz raised the point of order that Senate amendment 4 to Senate substitute amendment 1 is not germane.

The Chair rules the point well taken.

Senator Adelman appealed the ruling of the chair.

The question was: Shall the decision of the Chair stands as the judgement of the Senate.

The ayes and noes were required and the vote was: ayes, 17; noes, 15; absent or not voting, 0 as follows:

Ayes – Senators Buettner, Cowles, Darling, Drzewiecki, Ellis, Farrow, Fitzgerald, Huelsman, A. Lasee, Leean, Panzer, Petak, Rosenzweig, Rude, Schultz, Weeden and Zien – 17.

Noes – Senators Adelman, Andrea, Breske, Burke, Chvala, Clausing, Decker, George, Jauch, Moen, Moore, Plewa, C. Potter, Risser and Wineke – 15.

Absent or not voting – None.

The decision of the Chair stands as the judgement of the Senate.

Ordered to a third reading.

Senator Ellis, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 89

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 31; noes, 1; absent or not voting, 0 as follows:

Ayes – Senators Adelman, Andrea, Breske, Buettner, Burke, Chvala, Clausing, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, Fitzgerald, George, Huelsman, Jauch, A. Lasee, Leean, Moen, Moore, Panzer, Petak, Plewa, C. Potter, Rosenzweig, Rude, Schultz, Weeden, Wineke and Zien – 31.

Noes – Senator Risser – 1.

Absent or not voting – None.

Passed.

Senate Bill 92

Relating to: a training and employment services grant for employes being laid off from a business and making an appropriation.

Read a second time.

Senator Leean, with unanimous consent, asked that **Senate Bill 92** be referred to the joint committee on **Finance**.

SECOND READING AND AMENDMENTS OF ASSEMBLY JOINT RESOLUTIONS AND ASSEMBLY BILLS

Assembly Joint Resolution 21

Relating to: celebrating March 1, 1995, as St. David's Day.
Read.

Concurred in.

Assembly Bill 21

Relating to: requesting federal waivers under the aid to families with dependent children and job opportunities and basic skills programs; limiting increases in aid to families with dependent children for families that have certain additional children; job orientation and job search requirements, participation requirements and sanctions under the job opportunities and basic skills program; establishing a program for publication of delinquent child support obligors; providing exemptions from emergency rule-making procedures; granting rule-making authority; and making appropriations.

Read a second time.

Senator Leean, with unanimous consent, asked that **Assembly Bill 21** be referred to the joint committee on **Finance**.

Senator Ellis, with unanimous consent, asked that the Senate return to the eighth order of business.

MESSAGES FROM THE ASSEMBLY

By Charles Sanders, assistant chief clerk.

Mr. President:

I am directed to inform you that the Assembly has passed and asks concurrence in:

Assembly Bill 10

Assembly Bill 166

Assembly Bill 95

Adopted and asks concurrence in:

Assembly Joint Resolution 25

Concurred in:

Senate Joint Resolution 15

Senate Joint Resolution 16

Senate Joint Resolution 4

MESSAGES FROM THE ASSEMBLY CONSIDERED

Assembly Bill 10

Relating to: marking property of others without the owner's consent and providing penalties.

By Representatives Carpenter, Notestein, Gard, Grobschmidt, Ladwig, R. Potter, Turner, Ott, Ziegelbauer, Hahn, Seratti, La Fave, Schneiders, Ryba, Musser, Kreuser, Nass, Ainsworth, Riley, Wilder and Hasenohrl; cosponsored by Senators Burke, Rosenzweig, Plewa, LEEAN, Chvala and Darling.

Read first time and referred to committee on **Judiciary**.

Assembly Bill 166

Relating to: the labeling of certain gasoline.

By Representatives Duff, Hoven, Bock, Jensen, Notestein, Albers, Grothman, Wasserman, Lehman, La Fave, Lazich, Bell, Nass, Riley, Porter, Plache, Urban, Krug, Gunderson, Krusick, Walker, Grobschmidt, Ladwig, Wirch, Vrakas, Ziegelbauer, Cullen, Coggs, Klusman, Dobyns, Musser, Seratti, Morris-Tatum, Wood, Black, R. Potter, Kreuser, Turner, L. Young and Carpenter; cosponsored by Senators Panzer, Cowles, Plewa, Schultz, Andrea, Burke, Buettner, Farrow, A. Lasee and Drzewiecki.

Read first time and referred to committee on **Environment and Energy**.

Assembly Bill 95

Relating to: limitations of liability for certain fire companies.

By Representatives Albers, Porter, Ainsworth, Baldus, Coleman, Dobyns, Dueholm, Duff, Foti, Goetsch, Green, Grothman, Gunderson, Hahn, Harsdorf, Jensen, Kreibich, Lehman, Musser, Olsen, Otte, Ott, Ourada, Schneiders, Silbaugh, Vrakas, Walker, Wilder, Lazich, Brancel, Handrick and Nass; cosponsored by Senator Schultz.

Read first time and referred to committee on **Insurance**.

Assembly Joint Resolution 25

Relating to: requesting Congress to suspend the requirement that reformulated gasoline be sold in Southeastern Wisconsin.

By committee on Environment and Utilities .

Read and referred to special committee on **State and Federal Relations**.

MOTIONS MAY BE OFFERED

Senator Ellis, with unanimous consent, asked that **Assembly Joint Resolution 7** be withdrawn from committee on **Senate Organization** and referred to special committee on **State and Federal Relations**.

Senator Ellis, with unanimous consent, asked that all action be ordered immediately messaged to the Assembly.

Senator Petak, with unanimous consent, asked that the journal show he would like to withdraw his name as cosponsor of **Assembly Bill 27**.

ANNOUNCEMENTS, ADJOURNMENT HONORS AND REMARKS UNDER SPECIAL PRIVILEGE

Senator Petak, with unanimous consent, asked that when the Senate adjourns today it do so in honor of the Racine Lutheran High School Boys Basketball Team who won the Division 3 WISAA championship.

Senator Fitzgerald, with unanimous consent, asked that when the Senate adjourns today it do so in honor of Ronda Cleveland, Detective Eric Brooks and Sheriff's Deputy Joe Turcotte who were true heroes in saving the life of 10 year old Eric Crandall.

Senator Schultz, with unanimous consent, asked that when the Senate adjourns today it do so in honor of the birthdays of his daughter Katharine and his father Walter Schultz.

Senator Weeden, with unanimous consent, asked that when the Senate adjourns today it do so in memory of Elaine Post, who will not only be missed for her chocolate cookies, but for the service she gave to Turtle Town and the many causes she worked for.

Senator Zien, with unanimous consent, asked that when the Senate adjourns today it do so in honor of his sons Kurt and Travis and daughter Lori's birthdays.

Senator Plewa, with unanimous consent, asked that when the Senate adjourns today it do so in honor of Senator George's birthday that was yesterday.

On behalf of the entire body of the Senate when the Senate adjourns today it do so in honor of David Helbach former Senator from the 24th Senate District.

Senator Ellis, with unanimous consent, asked that when the Senate adjourns today it do so in honor of Senator LEEAN's birthday today.

ADJOURNMENT

Senator Ellis, with unanimous consent, asked that the Senate adjourn pursuant to **Senate Joint Resolution 1**.

1:33P.M.

Senate Enrolled Proposals

The Chief Clerk records:

Senate Bill 54

Report correctly enrolled on March 9, 1994.